

FILED  
for Roanoke  
JUL 23 2010

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

LONNIE OGLESBEE,  
Plaintiff,

v.

WARDEN TERRY O'BRIEN, et al.,  
Defendants.

) Civil Action No. 7:10-cv-00322  
)  
)  
)

) **ORDER**  
)

) By: Hon. Jackson L. Kiser  
) Senior United States District Judge

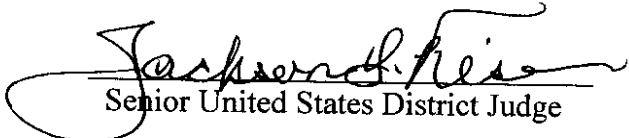
In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff's motion to proceed in forma pauperis is **GRANTED**; plaintiff's complaint is **DISMISSED without prejudice**, pursuant to 42 U.S.C. § 1997e(a) and 28 U.S.C. §§ 1915 and 1915A, for failing to exhaust administrative remedies; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile the action at a time of his choosing after he has exhausted his administrative remedies as to each claim he wishes to litigate.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 23<sup>rd</sup> day of July, 2010.

  
Senior United States District Judge